

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BRUCE DWAIN COPELAND,
Derivatively on behalf of
RBR INVESTMENTS, INC

Plaintiff,

vs.

TD AMERITRADE HOLDING
CORPORATION, CHARLES
SCHWAB CORPORATION

Defendants,

Case No. 8:24cv47

**ORIGINAL COMPLAINT AND
REQUEST FOR INJUNCTION**

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2024 FEB - 7 AM 9:31
OFFICE OF THE CLERK

I. THE PARTIES

1. Plaintiff Bruce Dwain Copeland ("Plaintiff Copeland"), is a resident of The State of Louisiana. Plaintiff Copeland currently lives in the city of New Orleans, LA.

2. Defendant TD Ameritrade Holding, Defendant and Defendant Charles Schwab Corporation (Collectively referred to as "Defendants"), are Corporations with a principle place of business in the State of Nebraska. Defendants corporate office is located in Omaha, Nebraska.

RECEIVED

FEB 07 2024

CLERK
U.S. DISTRICT COURT

II. JURISDICTION

3. This Court has original jurisdiction over this complaint pursuant to U.S. Code § 1332 Diversity of Citizenship and the amount in controversy exceeds \$75,000.00.

III. VENUE

4. The Venue is proper as the defendants, all of them, are located at the same principle address in the city of Omaha Nebraska.

COMES NOW, Plaintiff BRUCE DWAIN COPELAND, derivatively on behalf of RBR INVESTMENTS, INC, and for their causes of actions against TD AMERITRADE HOLDING CORPORATION, THINKORSWIM, and CHARLES SCHWAB CORPORATION (“collectively Defendants”) states the following:

IV. INTRODUCTION

1. This is an action filed by Bruce Dwain Copeland (“Plaintiff Copeland”), owner of 100% of all shares outstanding, files this complaint on behalf of RBR Investments, Inc. In addition to being the sole owner of RBR Investments, Inc. (“RBR”), Plaintiff Copeland is the Chairman, Chief Executive Officer, Secretary and Treasurer.

V. SUMMARY OF THE COMPLAINT

2. On or about January 2024, Plaintiff Copeland opened an online brokerage account on behalf of “RBR” with Interactive Brokers.

3. The purpose for the change in broker was based on the interest rate for margin investing.
4. Interactive Brokers has offered “RBR” a margin rate of 6.83%.
5. Defendants are currently charging “RBR” a margin rate of approximately 13.50%. “RBR” has a current margin balance with Defendants in the amount of \$77,785.14.
6. On or about January 20, 2024, Plaintiff Copeland sent a corporate resolution to Interactive Brokers to move his positions from Defendants to their brokerage firm.
7. On January 23, 2024, Plaintiff Copeland visited Defendants location in Metairie, Louisiana at and requested the same.
8. On January 28, 2024, Interactive Brokers sent Plaintiff Copeland a notice that the defendant **refused** to forward the position in Plaintiff’s account.
9. Interactive requested Plaintiff seek the transfer himself. (*see attached exhibit 1*).
10. On January 30, 2024, Plaintiff sent an internal email to the Defendants requesting to transfer his positions to the new brokerage firm. (*see attached exhibit 2*).
11. Plaintiff attached a copy of the written request from Interactive Brokers. Defendant failed to respond.

12. On January 31, 2024, Plaintiff again requested Defendant to honor the request from Interactive Brokers to move his positions. Defendants have not responded. (*see attached exhibit 3*).
13. Defendant's failure to respond is cause Plaintiff to suffer financial harm by continuing to charge approximately 13.50% interest when the new firm offers a rate of 6.85%.
14. Defendant's failure to respond or act on the properly requested transfer, prompted the filing of this complaint.

VI. CAUSES OF ACTION

CLAIM 1

VIOLATION OF U.S. SECURITIES AND EXCHANGE COMMISSION'S ("ACATS") TRANSFER.

15. Plaintiff Copeland incorporates paragraphs 1 through 14 by this reference as if fully set forth.
16. The U.S. Security and Exchange Commission's ("ACATS") code require brokerage firms to complete to complete the transfer process within a limited period.
17. The code requires Defendants to communicate and compare the requested transfer to ensure the information provided is accurate.
18. It also requires the firms to discuss and address any margin issues that

may vary between the two firms.

19. Defendants have done nothing. They are refusing to communicate with the transferring broker and refusing to communicate with Plaintiff.

WHEREFORE, Plaintiff Copeland demands judgment against Defendants for actual damages in the amount of approximately \$160,000.00. The value of the account including margin totals. A judgment in the amount of any and all fees, and interest charges, placed on Plaintiff's account by Defendants since the initial request on January 23, 2024.

CLAIM II

VII. UNJUST ENRICHMENT

20. Plaintiff Copeland incorporates paragraphs 1 through 20 by this reference as if fully set forth.

21. Plaintiff Copeland has a margin account with Defendants. The approximate balance is \$77, 785.14. Defendants daily rate of interest is approximately \$30.00 per day. Plaintiff alleges and believes Defendants are being unjustly enriched by failing to honor the request to transfer his account on January 23, 2024.

CLAIM III

VIII. INJUNCTIVE RELIEF

22. Plaintiff Copeland incorporates paragraphs 1 through 22 by this reference as if fully set forth.

23. Defendants direct refusal to respond or address the request from Plaintiff violates SEC Rules and regulations.

24. Plaintiff met directly with Defendants on January 23, 2024. Plaintiff's new broker (Interactive Brokers) requested the same in their notice on January 29, 2024.

25. Defendants have refused to respond to Plaintiff or the New Broker.

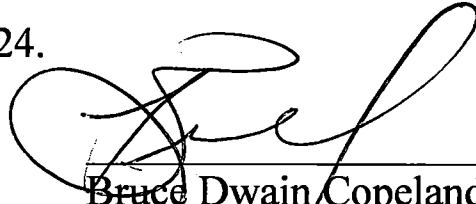
26. Plaintiff now seeks an injunction against Defendants for any and all charges, charges or fees, to his account since the day of his direct request to move his positions until the conclusion of this case.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Copeland respectfully requests that this Court order Defendants to release any and any positions, including any acceptable margin amounts, pay Court costs and fees associated with this complaint, pay any incurred expenses or cost associated with prosecuting this complaint, actual damages, punitive damages, in

amounts to be proven at trial, and all other affirmative and equitable relief, necessary to eradicate the effects of Defendants refusal to follow the rules established by the U.S. Securities and Exchange Commission.

Dated this 2nd day of February, 2024.



Bruce Dwain Copeland, pro se

9016 Nelson St.

New Orleans, LA. 70118

Bdcopeland1127@gmail.com

(972) 897-5872 (m)

(504) 930-6314 (m)

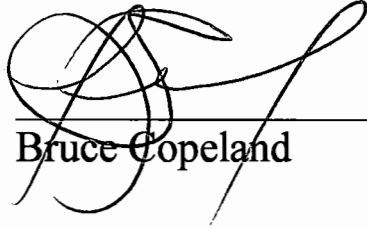
PLAINTIFF PRO-SE

PROOF OF SERVICE

I, Bruce Dwain Copeland, derivatively on behalf of RBR Investments, Inc, caused a copy of this original complaint to be served on the following parties;

Charles Schwab Corporation
200 South 108th Avenue
Omaha, NE 68154

TD Ameritrade Holding
200 South 108th Avenue
Omaha, NE 68154



Bruce Copeland

EXHIBIT 1



Bruce Copeland <bdcopeland1127@gmail.com>

Message Center Notification

1 message

Interactive Brokers Client Services <donotreply@interactivebrokers.com>

Mon, Jan 29, 2024 at 7:18 AM

To: bdcopeland1127@gmail.com



Message Center Notification

Account U****7832 received the following message(s) in Message Center.

TICKET RESPONSE(S):

1 Ticket Number: T155719 created on 29-Jan-2024

Initial Description: Position transfers from TD Ameritrade

Response from IBCS at 29-Jan-2024

Dear Mr. Copeland,

The deposit notifications that were set up were to alert us of positions are coming in.

Please advise TD Ameritrade to deliver DTC 0534, and reference your account number.

Regards,

Joanne Ricca

Interactive Brokers

To manage your Message Center notification preferences, [click here](#).

Interactive Brokers

Interactive Brokers LLC, member [NYSE](#), [FINRA](#), [SIPC](#)

[Home](#) [Contact](#)

Message Reference Number: 3-1706534296192, Sent Date: 2024.01.29 08:18:16 -0500

MRN:GE3TANRVGM2DEQJWGE4TGMBXGE2HYYTEMNXXAZLMMFXGIMJRG13UAZ3NMFUWYLTDN5WXYM34GE3TANRVGM2DEQJWGE4TE%3D%3D%3D:

EXHIBIT 2



Tue Feb 6 2024 11:59:11 am ET

Positions transfer out

From: rash13aad | Date: 01/29/24 9:35 AM Message available until 01/28/26.

1 Attachments | 1-29-2024_Interactive_Broker_Response_to_Requested_Transfer.pdf (172k)

Good morning, I submitted a request to interactive Brokers to transfer my positions to them. On Tuesday, January 23, 2024, I visited your office in Metairie, LA and requested my positions be transferred to Interactive Brokers. It appears their request and mine have not been completed. Please transfer my positions in this account to the account information attached to this message asap. Your prompt attention is appreciated. Bruce Copeland

EXHIBIT 3



Tue Feb 6 2024 11:58:23 am ET

Positions transfer out

From: rash13aad | Date: 01/30/24 7:02 AM Message available until 01/29/26.

1 Attachments | 1-29-2024_Interactive_Broker_Response_to_Requested_Transfer.pdf (172k)

Good morning,

On January 23, 2024, I visited your Metairie, LA. I requested my positions be transferred to Interactive Brokers. On January 29, 2024, I received a copy of the written request they have made to you to transfer my positions. Today, rather than complete the transfer, I received a notice that you have sold some of my shares on January 30, 2024, without my knowledge or consent.

I have again attached their written request.

This message will be the last written communication. I will wait Thursday, February 1, 2024. I will then pursue legal action.

Thanks,

Bruce Copeland

01/02/24 23:13



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limits of liability.

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PAP 21

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may vary by location.



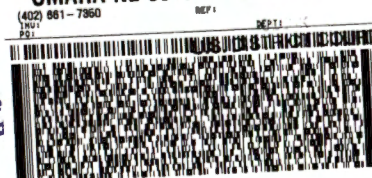
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recycled paperboard

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BRUCE DWAIN COPELAND
402 S HADDEN AVE
EL RENO, OK 73036
UNITED STATES US

SHIP DATE: 06FEB24
ACTWT: 0.25 LB
CAD: 6895867/58FD2460
BILL CREDIT CARD

TO COURT CLERK
U S DISTRICT NEBRASKA
111 S 18TH PLZ
STE 1152
OMAHA NE 68102 FEB 07 2024

RECEIVED



TRK# 2706 7555 5820
0201

WED - 07 FEB 10:30A
PRIORITY OVERNIGHT

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68102
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